IN THE CLAIMS

Please cancel claims 9, 18 and 27, and amend claims 1, 10, 19, 20 and 22-26 as follows:

1. (CURRENTLY AMENDED) A method of automatic measurement of audio presence and level by direct processing of a data stream representing an audio signal, comprising:

(a) extracting sub-band data from the data stream;

(b) dequantizing and denormalizing the extracted sub-band data;

(c) measuring an audio level for the dequantized and denormalized sub-band data without reconstructing the audio signal using channel characteristics; [[and]]

(d) comparing the measured audio level against at least one or more thresholds; and

(e) triggering an alarm when one of the thresholds is exceeded, wherein the thresholds are set to generate the alarm based on loss of the audio signal, or when an average level of the audio signal is too high or too low.

2. (ORIGINAL) The method of claim 1, further comprising using a psychoacoustic model in determining a perceived level of the measured audio signal according to human ear sensitivity.

3. (CANCELED)

4. (PREVIOUSLY PRESENTED) The method of claim 1, wherein the channel characteristics are used to weight an instantaneous level.

5. (PREVIOUSLY PRESENTED) The method of claim 1, wherein the channel characteristics are used to weight an overall level.

6. (ORIGINAL) The method of claim 1, wherein the sub-band data represents the audio signal's power in each frequency band represented by each sub-band at a particular point in time.

7. (ORIGINAL) The method of claim 1, further comprising averaging the audio level over time.

8. (ORIGINAL) The method of claim 1, further comprising thresholding the audio level.

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9. (CANCELED)

10. (CURRENTLY AMENDED) An apparatus for automatic measurement of audio presence and level by direct processing of a data stream representing an audio signal, comprising:

(a) means for extracting sub-band data from the data stream;

(b) means for dequantizing and denormalizing the extracted sub-band data;

(c) means for measuring an audio level for the dequantized and denormalized sub-band data without reconstructing the audio signal using channel characteristics; [[and]]

(d) means for comparing the measured audio level against at least one or more thresholds; and

(e) means for triggering an alarm when one of the thresholds is exceeded, wherein the thresholds are set to generate the alarm based on loss of the audio signal, or when an average level of the audio signal is too high or too low.

11. (ORIGINAL) The apparatus of claim 10, further comprising means for using a psychoacoustic model in determining a perceived level of the measured audio signal according to human ear sensitivity.

12. (CANCELED)

13. (PREVIOUSLY PRESENTED) The apparatus of claim 10, wherein the channel characteristics are used to weight an instantaneous level.

14. (PREVIOUSLY PRESENTED) The apparatus of claim 10, wherein the channel characteristics are used to weight an overall level.

15. (ORIGINAL) The apparatus of claim 10, wherein the sub-band data represents the audio signal's power in each frequency band represented by each sub-band at a particular point in time.

16. (ORIGINAL) The apparatus of claim 10, further comprising means for averaging the

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audio level over time.

17. (ORIGINAL) The apparatus of claim 10, further comprising means for thresholding the audio level.

18. (CANCELED)

19. (CURRENTLY AMENDED) ~~An article of manufacture comprising a program storage device embodying~~ A computer readable medium encoded with instructions that, when executed by a processor, result in the processor performing a method of automatic measurement of audio presence and level by direct processing of a data stream representing an audio signal, comprising:
   (a) extracting sub-band data from the data stream;
   (b) dequantizing and denormalizing the extracted sub-band data;
   (c) measuring an audio level for the dequantized and denormalized sub-band data without reconstructing the audio signal using channel characteristics; [[and]]
   (d) comparing the measured audio level against ~~at least~~ one or more thresholds; and
   (e) triggering an alarm when one of the thresholds is exceeded, wherein the thresholds are set to generate the alarm based on loss of the audio signal, or when an average level of the audio signal is too high or too low.

20. (CURRENTLY AMENDED) The ~~article~~ method of claim 19, further comprising using a psychoacoustic model in determining a perceived level of the measured audio signal according to human ear sensitivity.

21. (CANCELED)

22. (CURRENTLY AMENDED) The ~~article~~ method of claim 19, wherein the channel characteristics are used to weight an instantaneous level.

23. (CURRENTLY AMENDED) The ~~article~~ method of claim 19, wherein the channel characteristics are used to weight an overall level.

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24. (CURRENTLY AMENDED) The ~~article~~ <u>method</u> of claim 19, wherein the sub-band data represents the audio signal's power in each frequency band represented by each sub-band at a particular point in time.

25. (CURRENTLY AMENDED) The ~~article~~ <u>method</u> of claim 19, further comprising averaging the audio level over time.

26. (CURRENTLY AMENDED) The ~~article~~ <u>method</u> of claim 19, further comprising thresholding the audio level.

27. (CANCELED)

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